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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,783	02/28/2002	Choong-Chin Liew	4231/2002	8718

29933 7590 02/15/2006

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EXAMINER

SWITZER, JULIET CAROLINE

ART UNIT

PAPER NUMBER

1634

DATE MAILED: 02/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1634

1. The amendment filed on 12/7/05 amending all claims to include the detection of “two or more” or “three or more” of a particular set of genes is non-responsive because the genes listed in the claims is different from the set of genes elected in the telephonic election. The claims are drawn to assay of groups of “two or more” or “three or more,” but the election was to a single group of ten genes. Further, the group of ten genes elected in the conversation on 5/16/05 is different from the group of genes in the amended claims. Namely, the elected group includes genes Krueppel-related DNA binding protein (PF4) (line 1304 of Figure 6) and zinc finger RNA binding protein (Zfr) (line 4595 of Figure 6) which are not in the amended claims and the elected group does not include genes Calmodulin 1 (CALM 1) and translationally controlled tumour protein (TCTP) which are recited in the amended claims. Thus, the instant claims are only drawn to a non-elected invention, and the amendment drawn to the non-elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03).

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR

1.136(a) ARE AVAILABLE.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juliet C Switzer whose telephone number is (571) 272-0753. The examiner can normally be reached on Monday, Tuesday or Thursday, from 9:00 AM until 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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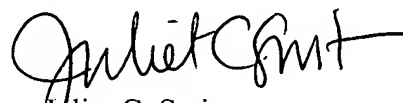
supervisor, W. Gary Jones can be reached by calling (571) 272-0745.

The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-0507.

Art Unit: 1634

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

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Juliet C. Switzer  
Primary Examiner  
Art Unit 1634

February 9, 2006